

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

IN RE PHARMACEUTICAL INDUSTRY AVERAGE WHOLESAL PRICE LITIGATION

MDL No. 1456

Civil Action No. 01-12257-PBS

THIS DOCUMENT RELATES TO:
ALL CLASS ACTIONS

Judge Patti B. Saris

**SCHERING-PLOUGH CORPORATION'S AND WARRICK PHARMACEUTICALS
CORPORATION'S MOTION FOR LEAVE TO FILE UNDER SEAL**

Defendants Schering-Plough Corporation (“Schering”) and Warrick Pharmaceuticals Corporation (“Warrick”), by their attorneys, hereby move this Court for leave to file the Supplemental Declaration of Sumanth Addanki, Ph.D. under seal.

Pursuant to the Protective Order entered by this Court on December 13, 2002 (the “Protective Order”) both the parties in the above captioned case and non-party witnesses have designated many documents and other information produced in this litigation as either “CONFIDENTIAL” or “HIGHLY CONFIDENTIAL.” The submission described above is a document containing information that has been designated “CONFIDENTIAL” or “HIGHLY CONFIDENTIAL.” Specifically, it includes references to contractual terms and pricing data that Defendants and non-party witnesses deem highly proprietary in nature. Pursuant to paragraph 15 of the Protective Order, any document or pleading containing quotes from or otherwise referencing such information shall be filed under seal.

A redacted version of the document described above will be filed publicly.

WHEREFORE, Schering and Warrick respectfully request that the motion for leave to file the aforementioned submission under seal be GRANTED.

Respectfully submitted,

SCHERING-PLOUGH CORPORATION AND
WARRICK PHARMACEUTICALS
CORPORATION

By their attorneys,

/s/ Eric P. Christofferson

John T. Montgomery (BBO#352220)

Steven A. Kaufman (BBO#262230)

Eric P. Christofferson (BBO#654087)

Ropes & Gray LLP

One International Place

Boston, Massachusetts 02110-2624

(617) 951-7000

Dated: April 28, 2006

CERTIFICATE OF COMPLIANCE WITH LR. 7.1

I hereby certify that counsel for Schering and Warrick conferred with counsel for Plaintiffs in a good faith effort to resolve or narrow the issues set forth herein.

/s/ Eric P. Christofferson
Eric P. Christofferson

CERTIFICATE OF SERVICE

I hereby certify that on April 28, 2006, I caused a true and correct copy of the foregoing to be served on all counsel of record by electronic service pursuant to Case Management Order No. 2 entered by the Honorable Patti B. Saris in MDL 1456.

/s/ Eric P. Christofferson
Eric P. Christofferson